

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: James N. Humenik, et al.	Dated: July 3, 2007
Serial Number: 10/605,430	Examiner: Brian R. Gordon
Filing date: September 30, 2003	Group Art Unit: 1743
Title: MICROFABRICATED FLUIDIC STRUCTURES	IBM Corporation D/18G, B/321, Zip 482 2070 Route 52 Hopewell Junction, NY 12533-6531

DECLARATION UNDER 37 C.F.R. § 1.132

1. Govindarajan Natarajan, declare and say:

1 That I am a citizen of the United States of America, and that I reside at 32 Regency Drive, Poughkeepsie NY 12603;

2 That I hold a PhD in Chemical Engineering from University of Missouri, Columbia-MO, awarded in 1982.

3 That since Sept 1985, I have been working in the field of microelectronics and micro-fluidics. I have been employed by International Business Machines Corporation (IBM) since Sept 1985, where I am currently a Hardware Engineer at IBM's Global Engineering Solutions. During my 21 year employment with IBM, I have often worked with chemical engineering including biological and chemical interaction of compounds.

4 That I have been granted more than 65 patents in the field of hardware engineering (in the United States and around the world), and in particular, at least 20 in the field related to physical/chemical interactions of compounds. In addition, I am the author of at least 5 papers in the field of micro-fluids and co-authored a book on physio-chemical properties of liquids.

5 That I have reviewed and am familiar with the above referenced Patent Application Serial No. 10/605,430.

Declaration under 37 C.F.R. § 1.132

6. That I am one of the co-inventors in the above-identified Patent Application Serial No. 10/605,430;
7. That I have reviewed and am familiar with U.S. Patent No. 6,955,777;
8. That I am one of the co-inventors of U.S. Patent No. 6,955,777;
9. That I have reviewed the U.S. Patent Office Action dated April 6, 2007 in Application Serial No. 10/605,430, which contains the following statement:
- “Claims 1-4 and 7-9 are rejected under 35 U.S.C. 102(e) as being anticipated by Natarajan et al. (US 6,955,777)”.
10. That the rejection listed in paragraph 9 hereinabove is improper because, as stated by the Examiner in the Office Action, the applied reference has at least one common inventor with Patent Application Serial No. 10/605,430;
11. That the statements in paragraph 10 hereinabove demonstrate that the invention described in U.S. Pat. No. 6,955,777 was not the invention “by another” as stated in the statute;
12. That the undersigned declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon;

Further declarant saith not

July 3, 2007



Govindarajan Natarajan